

50C4.01.1 Congressional
Quarterly

SUGGESTED REPLY TO "CONGRESSIONAL QUARTERLY" QUESTIONS

QUESTION: Has CIA's congressional relations been damaged as a result of the secret war in Laos, Chilean/ITT activities, and the Ellsberg profile.

ANSWER: CIA, like all members of the Executive Branch, has an obligation to be fully responsive to the Congress as an institution, to its various committees and its 535 individual members. However, like any intelligence organization, it must maintain a high degree of security if it is to be effective in carrying out its responsibilities. The importance of maintaining this security is reflected in the statutory requirements imposed upon the Director for the protection of intelligence sources and methods from unauthorized disclosure. The problems involved in striking a proper balance between these twin obligations are well illustrated by the examples cited in the question:

a. CIA's participation in Laos was not secret from the duly elected and appointed political authority in the Executive Branch which directed such participation, nor was it secret from the duly constituted committees of the Congress, including the Agency's oversight and appropriations committees and committees dealing with foreign affairs. For example, over the period from 1961 through December of 1969, when the Senate debated this issue in closed

session, the Agency's support to the effort in Laos was, in the Senate alone, covered in 19 separate committee briefings at which a total of 40 different senators were present.

b. With respect to alleged CIA/ITT activities in Chile, one of the principal points at issue concerned suggestions that CIA had accepted or would accept, funds from private sources for such purposes. This question was examined by a number of committees including the Multinational Corporations Subcommittee of the Senate Foreign Relations Committee. Testimony by competent authority before these committees established that CIA activities are funded only with Federal funds duly appropriated by the Congress and expended only under the direction of higher authority.

c. An extensive examination of CIA's cooperation with a White House request to employ certain techniques useful in predicting personal behavior was undertaken by five separate congressional committees. Testimony by Agency witnesses conceded that, with the benefit of hindsight, an error in judgment had probably been made. It should be noted, however, that at the time it appeared from all information available to those involved that CIA

cooperation in this undertaking, in response to a White House request in the name of national security, was compatible with the Director's statutory responsibility for protecting intelligence sources and methods.

The result of congressional inquiries into the events discussed above does not seem to have materially changed the attitude of the Congress towards CIA. The Agency is receiving a steadily increasing number of requests for briefings of congressional committees and individuals on a growing variety of questions related to foreign developments and national security. As noted above, it adheres to a policy of being as responsive as possible to these requests. From the nature of the requests and the reaction to the Agency's responses by committees and individuals who have received these briefings, it appears that Agency institutional integrity and professional credibility remain unimpaired and intelligence products which it produces are held in high regard. In addition, members of the Agency's oversight subcommittees on the basis of their intimate knowledge of its activities appear generally satisfied with its operational programs, fiscal policies and personnel management.

QUESTION: Has Congress stepped up its demands on the CIA for greater disclosure, particularly with respect to budgetary and operational matters?

ANSWER: Over the years there have been various congressional proposals for greater disclosure of CIA matters including budgetary and operational information. There have from time to time been proposals for restricting or redefining certain Agency authorities and responsibilities. Recent events have stimulated some increase in these congressional proposals. Agency views on a number of these legislative recommendations have been requested by appropriate committees of Congress and responses either have already been submitted or are now under active consideration.

QUESTION: What has the Agency done or attempted to do to soothe congressional outcries for more accountability?

ANSWER: CIA is in continuous contact with its four oversight committees and no detail of Agency managerial, budgetary or operational activity is withheld from these committees.

The activities of CIA are prescribed by statute and performed under the direction of the highest elected and appointed authority in the Executive Branch. CIA is funded through a budgetary process which involves examination, review and determination by the independent authority of the President's principal staff on budgetary and performance matters. In the Congress the CIA budget is subject to the same process

as that of any other Federal agency, although for security reasons, amounts and programs involved are not publicly disclosed. Details regarding CIA activities are subject to additional external review by the President's Foreign Intelligence Advisory Board, consisting of distinguished private citizens who have full access to all information needed to evaluate and report to the President on the Agency's performance. Finally, as previously noted, the CIA, like any other Federal agency, must cooperate fully with the oversight committees of the Congress which determines the extent to which the Agency applies, administers and executes the laws which govern its activities. These committees have the authority and responsibility to recommend to the Congress whatever revisions in these laws they deem necessary and appropriate.

Such an array of institutional controls over a national intelligence service is unique to the United States. As the Chairman of the Senate Armed Services Committee observed when the proposed Central Intelligence Agency Act of 1949 was reported by him to the full Senate:

"Ours will perhaps be the only Government having a law providing for such an activity. Other governments simply appropriate a disguised sum of money, without any

authority of law, to handle the whole matter through some government official. We are writing the whole law out. I regret we cannot proceed in any other way. If the Senate knew about the details, it might be willing to do as other countries do, but we do not do business that way. We are not doing what other countries do. We are throwing every possible democratic safeguard around it as we go along."

Finally, as the current Director, Mr. Colby, has stated during his recent confirmation hearings;

"...there are situations in which an American intelligence service will have to be much more exposed than the intelligence services of other countries. We are not going to run the kind of intelligence service that other countries run. We are going to run one in the American society and the American constitutional structure, and I can see that there may be a requirement to expose to the American people a great deal more than might be convenient from the narrow intelligence point of view."